

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
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RICHARD DAVIS,

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: <u>4/28/08</u>

Petitioner,

07 Civ. 5920 (BSJ) (DFE)

-against-

This is not an ECF case

JAMES FARRELL,
Acting Superintendent,

MEMORANDUM AND ORDER

Respondent.

-----x

DOUGLAS F. EATON, United States Magistrate Judge.

On April 14, 2008, Assistant Attorney General ("AAG") Jodi A. Danzig served (a) Respondent's Memorandum of Law, and (b) her Declaration, which annexed the appellate briefs and noted at ¶ 4 that her office was attempting to obtain the trial transcript from Mr. Davis's appellate counsel.

By letter dated April 17, 2008, Mr. Davis requested an extension of time to July 14, 2008 to (1) file his reply papers, and (2) copy the trial transcript so that he could provide it to the Court and to AAG Danzig. At the time Mr. Davis wrote his request, he did not know that AAG Danzig did obtain the transcript; she filed the transcript with our Court on April 15. See Docket Item # 10.

In any event, I grant Mr. Davis an extension of time to July 14, 2008 to serve and file his reply papers. There is no need for him to provide either the Court or AAG Danzig with copies of the trial transcript.

Douglas F. Eaton
DOUGLAS F. EATON
United States Magistrate Judge
500 Pearl Street, Room 1360
New York, New York 10007
Telephone: (212) 905-6175
Fax: (212) 805-6181

Dated: New York, New York
April 28, 2008

Copies of this Memorandum and Order were mailed on this date to:

Mr. Richard Davis
O4-A-1735
Wallkill Correctional Facility
Route 208, Box G
Wallkill, NY 12589-0286
(with a copy of the Docket sheet)

Jodi A. Danzig, Esq.
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Hon. Barbara S. Jones